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Director of Central Intelligence

24 September 1946

Chief, Legislative Liaison Section

Summary of Memorandum dated 23 September 1946, subject: Intelligence Implications of the Atomic Energy Act of 1946.

I. GENERAL OBSERVATIONS: This Act is an initial attempt to compromise the divergent views of the military on one hand and the scientists on the other and frankly looks to further revisions. It takes precedence over prior legislation with which it may be in conflict as well as Executive Orders and Letters (such as the letter of 22 January 1946 establishing NIA.) The law was drafted with no apparent consideration of other intelligence organizations. (p.1.)

II. MILITARY LIAISON COMMITTEE. The Act establishes a Military Liaison Committee with which the Commission must consult on all atomic energy matters which the Committee feels relate to military applications including "control of information relating to the manufacture or utilization of atomic weapons." The Commission and the Committee will keep each other completely informed on Commission activities and atomic energy activities of the War and Navy Departments. Complete powers of the Commission are considerably controlled by the ability of the Committee to refer to the Secretaries of War or Navy any action, proposed action or failure to act by the Commission on matters of military application which the Committee feels is adverse to their interests. If the Secretary of War or Navy concurs in the Committee's recommendation, an appeal from the Commission action may be taken to the President, whose decision will be final. (p.2, pars. 1, 2.)

III. SPECIFIC OBSERVATIONS. The conflict between the desire to control information concerning the common defense and security and to disseminate as much information as possible for the continuation of scientific progress is resolved by placing it in the control of the Commission to determine all atomic energy data which is to be declassified or remain restricted. The Commission's decision, however, may be affected by the Military Liaison Committee as set forth in Section II above. (p. 2, par. 1.)

The power is inherent in the Act for the Commission to establish its own intelligence section including the use of agents and clandestine activities abroad. (p. 3, par. 4; p. 4, par. 6.)

The Act orders the President to direct the transfer to the Commission of all government interests in fissionable material and atomic weapons including all technical information. (pp.3-4, par. 5.)

A Joint Congressional Committee on Atomic Energy is established which is authorized to examine the Commission's activities including classified matter which could thus become the subject of compromise. (pp.4-5, par. 3.)

The Commission is empowered to seek assistance from other Government agencies, which would enable it to seek the assistance of NIA in formulating its plans. (p.4, par. 7.)

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